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APR 25 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
General Court Number  
415.522.2000

UNITED STATES DISTRICT COURT  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, California 94102  
[www.cand.uscourts.gov](http://www.cand.uscourts.gov)

Richard W. Wieking  
Clerk

Clerk  
U.S. Court of Appeals  
For the Ninth Circuit  
P.O. Box 193939  
San Francisco, CA 94119-3939

08-15983

**CASE NUMBER: CV 07-05643 MHP**

**CASE TITLE: JOSEPH BIVINS-v-M C KRAMER**

Dear Sir/Madam:

Pursuant to Rule 22(b), Rules of Appellate Procedure, enclosed is our file, an application for certificate of appealability and/or notice of appeal, order denying that application and certified copy of docket sheet.

Please acknowledge receipt and return to this office.

Dated: April 21, 2008

Sincerely,

RICHARD W. WIEKING, Clerk



by: Gina Augustine-Rivas  
Case Systems Administrator

Enclosures:

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT  
**NOTICE OF APPEAL NOTIFICATION FORM**  
Please Fill Out Completely

April 21, 2008

**CASE INFORMATION:**

Short Case Title: JOSEPH BIVINS-v- M C KRAMER

Court of Appeals No. (leave blank if a unassigned

U.S. District Court, Division & Judge Name: NORTHERN DISTRICT OF CALIFORNIA,  
SAN FRANCISCO DIVISION

Criminal and/or Civil Case No.: CV 07-05643 MHP

Date Complaint/Indictment/Petition Filed: 11/6/07

Date Appealed order/judgment entered: 3/5/08

Date NOA filed: 3/27/08

Date(s) of Indictment Plea Hearing Sentencing

COA Status (check one): ☐ granted in full (attach order) ☒ denied in full (send record)  
☐ granted in part (attach order) ☐ pending

Court Reporter(s) Name & Phone Number: NONE

***Magistrate Judge's Order? If so, please attach.***

**FEE INFORMATION**

Date Docket Fee Paid:

Date Docket Fee Billed:

Date FP granted:

Date FP denied:

Is FP pending? ☐ yes ☒ no

Was FP limited ☐? Revoked ☐?

US Government Appeal? ☐ yes ☒ no

Companion Cases? Please list:

***Please attach copy of any order granting, denying or revoking FP.***

**COUNSEL INFORMATION (Please include email address)**

Appellate Counsel:

Appellee Counsel:

JOSEPH BIVINS - B-63111

FOLSOM STATE PRISON

NO APPEARANCE

P.O. BOX 950

FOLSOM, CA 95763

☐ retained ☐ CJA ☐ FPD ☒ Pro Se ☐ Other ***Please attach appointment order.***

**DEFENDANT INFORMATION**

Prisoner ID:

Address:

Custody:

Bail:

**AMENDED NOTIFICATION INFORMATION**

Date Fees Paid:

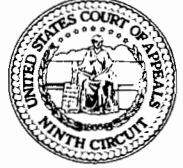
9th Circuit Docket Number:

Name & Phone Number of Person Completing this Form: Gina Augustine-Rivas  
(415) 522-2087



Molly C. Dwyer  
Clerk of Court

Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
95 Seventh Street  
Post Office Box 193939  
San Francisco, California 94119-3939



(415) 355-8000

April 24, 2008

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USCA9 No.:	08-15983
D.C. No.:	3:07-cv-05643-MHP
Short Title:	Joseph Bivens v. M. Kramer

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Dear Mr. Bivens,

The Clerk's Office of the United States Court of Appeals for the Ninth Circuit has received a copy of your notice of appeal and/or request for a certificate of appealability. **A briefing schedule will not be set until the court determines whether a certificate of appealability should issue.**

Absent an emergency, all subsequent filings in this matter will be referred to the panel assigned to consider whether or not to grant the certificate of appealability.

All subsequent letters and requests for information regarding this matter will be added to your file to be considered at the same time the cause is brought before the court.

The U.S. Court of Appeals docket number shown above has been assigned to your case. You must indicate the docket number and title of your case when corresponding with the court about your case.